

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

MV PUBLIC TRANSPORTATION, INC.

and

Case Nos. 29-CA-29530
29-CA-29760

JOHN D. RUSSELL, AN INDIVIDUAL

and

Case No. 29-CA-29544

LOCAL 1181-1061, AMALGAMATED TRANSIT
UNION, AFL-CIO

and

ERIC BAUMWOLL, AN INDIVIDUAL

Case No. 29-CA-29619

and

LOCAL 707, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, Party to the Contract

LOCAL 707, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS

and

Case No. 29-CB-13981

JOHN D. RUSSELL, AN INDIVIDUAL

MOTION TO MODIFY BOARD ORDER

On March 22, 2011, the Board issued its Decision and Order in the matter of MV Public Transportation, Inc. ("MV") and Local 707, International Brotherhood of Teamsters ("Local 707") (356 NLRB No. 116).

The Board found that MV unlawfully granted recognition to Local 707, and thereafter, pursuant to a collective bargaining agreement unlawfully deducted dues and initiation fees from the wages of its employees and remitted those

monies to Local 707. As a remedy, the Board found that MV and Local 707 were jointly and severally liable to remedy their violations of the Act.

In its Order, the Board required MV to:

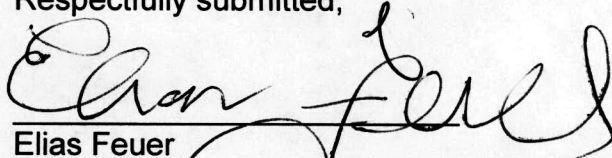
2. Take the following affirmative action necessary to effectuate the policies of the Act.

(c) Preserve and, within 14 days of a request, or such additional time as the Regional Director may allow for good cause shown, provide at a reasonable place designated by the Board or its agents, all payroll records, social security payment records, timecards, personnel records and reports, and all other records, including an electronic copy of such records if stored in electronic form, necessary to analyze the amount of reimbursement due under the terms of this Order.

In its Order, the Board failed to require Local 707 to take similar affirmative action. Accordingly, pursuant to Rule 102.49 of the Board Rules and Regulations, counsel for the Acting General Counsel moves that the Board modify its Order against Local 707 to include an affirmative obligation that it :

Preserve and, within 14 days of a request, or such additional time as the Regional Director may allow for good cause shown, provide at a reasonable place designated by the Board or its agents, all dues remittance reports submitted by MV, and all other records, including an electronic copy of such records if stored in electronic form, necessary to analyze the amount of reimbursement due under the terms of this Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elias Feuer", is written over a horizontal line.

Elias Feuer
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Dated at Brooklyn, New York
this 12th day of April, 2011.